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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,175	09/17/2003	Srinivas Balijepalli	99-40028-01	3954

7590

09/25/2006

Daniel H. Golub  
1701 Market Street  
Philadelphia, PA 19103

EXAMINER

ALAM, SHAHID AL

ART UNIT

PAPER NUMBER

2162

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/664,175

Applicant(s)

BALIJEPAI ET AL.

Examiner

Shahid Al Alam

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>09172003</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 1 – 24 and 31 are pending in this Office action.

#### ***Information Disclosure Statement***

2. The information disclosure statement (IDS), submitted on September 17, 2003, has been considered by the examiner.

#### ***Specification***

3. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code (see page 12, line 6). Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

#### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3, 4, 14 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase "may be" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. It is unclear whether the limitations following the phrase are actually occurring or not occurring.

See MPEP § 2173.05(d).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1 – 6, 8 – 17, 19 – 24 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,884,310 issued to Harriet Brichta et al. (hereinafter “Brichta”) and in view of U.S. Patent Number 6,102,969 issued to David Christianson et al. (hereinafter “Christianson”).

With respect to claims 1 and 23, Brichta discloses processing of a search list provided by a remote user, and retrieving and delivering information corresponding to at least one item contained in said search list, comprising the steps of:

Art Unit: 2162

(A) receiving, onto a central server that services a plurality of remote users, a search list provided by the user, said search list comprising at least one item (column 5, lines 5 – 15);

(B) forming a query at the central server based on the search list (column 5, lines 10 – 13);

(C) periodically performing the following steps (column 5, lines 49 – 53):

(ii) retrieving, with the central server, said information (column 3, lines 45 – 50);  
(iii) formatting said information into a common format using the central server (column 3, lines 15 – 20);

(iv) ascertaining whether said information is current by comparing said information in the common format to information stored in a storage database in the common format, wherein the information stored in the database corresponds to results of previous searches using the query (column 7, lines 25 – 50); and

(v) after step (iv), electronically delivering, using said central server, only said information ascertained to be current to the remote user (column 7, lines 30 – 43).

Brichta does not explicitly disclose initiating, from the central server, a search using the query on two or more information sources on the World Wide Web in order to locate information corresponding to each of said at least one item as claimed.

Christianson discloses claimed initiating a search using the query on two or more information sources on the World Wide Web in order to locate information corresponding to each of said at least one item (column 2, lines 60 – 65).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to combine the teachings of Christianson with the teachings of Brichta to provide a system that allows the engine execute faster. Christianson discloses a NetBot with searches multiple information sources in parallel in response to a user request. Christianson's netbot system automatically searches the relevant primary sources in parallel and presents information quickly and faster.

With respect to claim 12, Brichta discloses a system for automated processing of a search list provided by a remote user, and retrieving and delivering information corresponding to at least one item contained in said search list, comprising:

a storage database that stores information in a common format (column 5, lines 5 – 15), wherein information stored in the database corresponds to results of previous searches using a query (column 5, lines 10 – 14); and

a central server that receives a search list provided by the user and comprising at least one item, services a plurality of remote users, forms the query based on the search list (column 3, lines 45 – 50 and column 7, lines 30 – 35), and

periodically initiates a search (column 5, lines 45 – 55) ascertains whether said information is current by comparing said information in the common format to said information stored in said database in the common format, and electronically delivers only said information ascertained to be current to the remote user (column 7, lines 25 – 50).

Brichta does not explicitly teach "using the query on two or more information sources on the World Wide Web in order to locate information corresponding to each of

Art Unit: 2162

said at least one item, retrieves said information, formats said information into a common format" as claimed.

Christianson teaches claimed using the query on two or more information sources on the World Wide Web in order to locate information corresponding to each of said at least one item, retrieves said information, formats said information into a common format. Christianson discloses a netbot with searches multiple information sources in parallel and formats the response into a common format upon user request (column 2, lines 50 – 55, 60 – 65 and column 6, lines 4 – 14).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to combine the teachings of Christianson with the teachings of Brichta to provide a system that allows the engine execute faster. Christianson discloses a NetBot with searches multiple information sources in parallel in response to a user request. Christianson's netbot system automatically searches the relevant primary sources in parallel and presents information quickly and faster.

As to claims 2 and 13, said step of initiating is performed automatically (Christianson: column 2, lines 45 – 53 and 60 – 65).

As to claims 3 and 14, said search list may be selectively edited by said user at any time (Christianson: column 7, lines 1 – 5; Figure 2B).

As to claims 4 and 15, the selection of said two or more information sources to be searched are determined by said user and may be selectively edited by said user at any time (Christianson: column 5, lines 20 – 25).

As to claims 5 and 16, each of said two or more information sources to be searched are determined independently by said user for each of said at least one item (Christianson: column 3, lines 10 – 15).

As to claims 6 and 17, said step of initiating is performed at predetermined time intervals determined by said user, said predetermined time intervals capable of being selectively edited by said user at any time (Brichta: column 5, lines 49 – 53).

As to claims 8 and 19, each of said at least one item corresponds to a distinct company (Brichta: column 2, lines 59 – 64).

As to claims 9 and 20, each of said at least one item corresponds to a distinct industry (Brichta: column 2, lines 59 – 64).

As to claims 10 and 21, each of said at least one item corresponds to a distinct job format (Brichta: column 2, lines 59 – 64).

As to claims 11 and 22, said two or more information sources are public search engines (Christianson: column 6, lines 55 – 60).

6. Claims 7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brichta and Christianson as applied to claims 1 and 12, above, and further in view of Amy Rubert et al. ("Rubert").

With respect to claims 7 and 18, Brichta and Christianson disclose the limitations as discussed in claims 1 and 12 above, respectively. However, Brichta and Christianson do not explicitly disclose "said step of electronically delivering is automatically performed via electronic mail" as claimed.



Rubert discloses sending the results of the search to the user via email (column 3, lines 15 – 18 and column 5, lines 20 – 23).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to combine the teachings of Brichta and Christianson with the teachings of Rubert to ensure efficient access to multiple databases by presenting all authorized queries to the user by presenting the user with previously used report form parameters and inquiries, by automatically performing the query execution, and by notifying users of the query results (Rubert: column 3, lines 28 – 33). It would have been obvious to allow the system to notify users when results of incomplete searches become available (Rubert: column 5, lines 1 – 20).

The subject matter of claim 24 is rejected in the analysis above in claims 1 – 23 and these claims are rejected on that basis.

The subject matter of claim 31 is rejected in the analysis above in claims 1 – 23 and these claims are rejected on that basis.

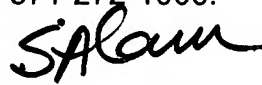
Art Unit: 2162

***Contact Information***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid Al Alam whose telephone number is (571) 272-4030. The examiner can normally be reached on Monday-Thursday 8:00 A.M.- 4:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Shahid Al Alam  
Primary Examiner  
Art Unit 2162

13 September 2006